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A
CLEAR STATE
OF THE
CASE
OF

ELIZABETH CANNING,

Who hath sworn that she was robbed and almost starved
to Death by a Gang of Gipsies and other Villains in
January last, for which one MARY SQUIRES now
lies under Sentence of Death.

*Quæ, quia sunt admirabilia, contraque Opinionem om-
nium; tentare volui possentius proferri in Lucem, & ita
dici ut probarentur.*

CICERO. Parad.

By HENRY FIELDING, Esq;

DUBLIN:

Printed for GEORGE FAULKNER, PETER WILSON,
and MATTHEW WILLIAMSON.

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HENRY FIELDING, Esq.

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THE
C A S E
OF
ELIZABETH CANNING, &c.

THERE is nothing more admirable, nor indeed more amiable, in the Law of *England*, than the extreme Tenderneſs with which it proceeds againſt Perſons accuſed of capital Crimes. In this reſpect it juſtly claims a Preference to the Inſtitutions of all other Countries; in ſome of which a Criminal is hurried to execution, with rather leſs Ceremony than is required, by our Law, to carry him to Priſon; in many, the Tryals, (if they may be called ſuch) have little of Form, and are ſo extremely precipitate, that the unhappy Wretch hath no Time to make his Defence, but is often condemned without well knowing his Accuſer, and ſometimes without well underſtanding his Accuſation. In this happy Kingdom, on the contrary, ſo tender is the Law of the Life of a Subject, ſo cautious of unjuſtly or erroneouſly condemning him, that according to its own Maxim, *De Morte*

Hominis, nulla est Cunctatio longa, it proceeds by slow and regular Gradations, and requires so many antecedent Ceremonies to the ultimate Discussion of a Court of Justice, that so far from being in Danger of a Condemnation without a fair and open Tryal, every Man must be tried more than once before he can receive a capital Sentence: By the Law of *England*, no Man can be apprehended for Felony, without a strong and just Suspicion of his Guilt; nor can he be committed to Prison, without a Charge on Oath before a lawful Magistrate. This Charge must be again proved on Oath, to the Satisfaction of a large Number (Twelve at least) of the better Sort of his Countrymen; (except in the Case of an Appeal of Felony, which is now obsolete, and where the Proceedings are still more ceremonial and tedious;) before the Accused can be required to answer to it, or be put on his Defence; and after all these Preparatives, the Truth of this Charge is to be tried in an open Court of Justice, before one at least and often many Judges, by twelve indifferent and unexceptionable Men: I may truly say unexceptionable, since it is in the Prisoner's Power to except against twenty-four without shewing any Cause, and as many more as he can shew a reasonable Cause of Exception against. These, after a patient Hearing of the Witnesses against him, and after attending to his Defence (in the making which, the Law prescribes that every Indulgence shall be shewn him, and that even his Judge shall be his Council and assist him) must all concur in declaring on their Oaths, that he is guilty of the Crime alledged against him; or he is to be discharged, and can never more be called in Question for the same Offence, save only in the Case of Murder.

It



It seems, I think, that the Wit of Man could invent no stronger Bulwark against all Injustice, and false Accusation, than this Institution, under which not only Innocence, may rejoice in its own Security, but even Guilt can scarce be so immodest as to require a fairer Chance of escaping the Punishment it deserves.

And yet, if after all this Precaution it should manifestly appear, that a Person hath been unjustly condemned, either by bringing to Light some latent Circumstance, or by discovering that the Witnesses against him are certainly perjured, or by any other Means of displaying the Party's Innocence, the Gates of Mercy are still left open, and upon a proper and decent Application, either to the Judge before whom the Tryal was had, or to the Privy Council, the condemned Person will be sure of obtaining a Pardon, of preserving his Life, and of regaining both his Liberty and Reputation.

To make therefore such an Application on the Behalf of injured Innocence, is not only laudable in every Man, but it is a Duty, the Neglect of which he can by no Means answer to his own Conscience; but this, as I have said, is to be done in a proper and decent Manner, by a private Application to those with whom the Law hath lodged a Power of correcting its Errors, and remitting its Severity; whereas to resort immediately to the Public by inflammatory Libels against the Justice of the Nation, to establish a kind of a Court of Appeal from this Justice in the Bookseller's Shop, to re-examine in News Papers and Pamphlets the Merits of Causes which, after a fair and legal Tryal, have already received the solemn Determination of a Court of Judicature, to arraign the Conduct of Magistrates, of Juries, and even of Judges, and this

even with the most profligate Indecency, are the Effects of a Licentiousness to which no Government, jealous of its own Honour, or indeed provident of its own safety, will ever indulge or submit to.

Sensible as I am of this, I should by no means become an Aggressor of this kind ; but surely when such Methods have been used to mislead the Public, and to censure the Justice of the Nation in its Sagacity at least, and grossly to misrepresent their Proceedings, it can require little Apology to make use of the same Ends to refute so iniquitous an Attempt. However unlawful a Weapon may be in the Hands of an Assailant, it becomes strictly Justifiable in those of the Defendant : And as the judges will certainly excuse an Undertaking in Defence of themselves, so may I expect that the Public, (that Part of it, I mean, whose Esteem alone I have ever coveted or desired,) should shew some Favour to a Design which hath in View not a bare Satisfaction of their Curiosity only, but to prevent them from forming a very rash, and, possibly, a very unjust Judgment. Lastly, there is something within myself which rouses me to the Protection of injured Innocence, and which prompts me with the Hopes of an Applause much more valuable than that of the whole World.

Without this last Motive, indeed, it may be imagined I should scarce have taken up my Pen in the Defence of a poor little Girl whom the many have already condemned. I well know the extreme Difficulty which will always be found in obtaining a Reversal of such a Judgment. Men who have applauded themselves, and have been applauded by others, for their great Penetration and Discernment, will struggle very hard before they

they will give up their Title to such Commendation. Though they, perhaps, heard the Cause at first with the Impartiality of upright Judges, when they have once given their Opinion, they are too apt to become warm Advocates, and even interested Parties in Defence of that Opinion. Deplorable, indeed, and desperate is the Case of a poor Wretch against whom such a Sentence is past! No Writ of Error lies against this Sentence, but before that tremendous Court of the Public where it was first pronounced, and no Court whatever is, for the Reasons already assigned, so tenacious of the Judgments which it hath once given.

In Defiance, nevertheless, of this Difficulty, I am determined to proceed to disclose, as far as I am able, the true State of an Affair which, however inconsiderable the Parties may be in their Station of Life, (though injured Innocence will never appear an inconsiderable Object to a good Mind) is now become a Matter of real Concern and great Importance to the Public; against whom a most horrible Imposture, supported by the most impudent as well as impious Perjury is dressed up, either on the one Side or on the other: To discover most manifestly on which Side it lies seems to be within the Power of the Government, and it is highly incumbent on them to exert themselves on this Occasion, in order that by the most exemplary Punishment they may deter Men from that dreadful Crime of Perjury, which in this Case either threatens to make the Sword of Justice a Terror to the Innocent, or to take off all its Edge from the Guilty; which of these it is likeliest to do in the present Instance, I will endeavour to assist the Reader, at least, in forming a probable Conjecture.

Elizabeth Canning, a young Girl of eighteen Years of Age, who lived at *Abdermanbury* Postern, in the City of *London*, declares, That on *Monday* the 1st of *January* last she went to see her Uncle and Aunt, who are People of a very good Character, and who live at *Saltpetre Bank* near *Rosemary-lane*; that having continued with them till towards nine in the Evening, her Uncle and Aunt, it being late, walked a great Part of the Way home with her; that soon after she parted with them, and came opposite to *Bethlehem-gate* in *Moorfields*, she was seized by two Men who, after robbing her of half a Guinea in Gold, and three Shillings in Silver, of her Hat, Gown, and Apron, violently dragged her into a Gravel-walk that leads down to the Gate of *Bethlehem* Hospital, about the Middle of which one of the Men, after threatening to do for her, gave her a violent Blow with his Fist on the right Temple, that threw her into a Fit, and intirely deprived her of her Senses. These Fits she says she hath been accustomed to; that they were first occasioned by the Fall of a Cieling on her Head; that they are apt to return upon her whenever she is frightened, and that they sometimes continue for six or seven Hours; that when she came to herself she perceived that two Men were hurrying her along in a large Road-way, and that in a little time after she was recovered, she was able to walk alone; however, they still continued to pull and drag her along; that she was so intimidated by their Usage that she durst not call out, nor even speak to them; that in about half an Hour after the Recovery of her Senses they carried her into a House where she saw in the Kitchen an old Gipsy-woman and two young Women; that the old Gipsy-woman took hold of her by
the

the Hand, and promised to give her fine Cloaths if she would go their Way, which expression she understanding to mean the becoming a Prostitute, she utterly refused to comply with; upon which the old Gipsy-woman took a Knife out of a Drawer and cut the Stays off this *Elizabeth Canning*, and took them away from her, at which time one of the Men likewise took off her Cap, and then both the Men went away; that soon after they were gone, and about an Hour after she had been in the House, the old Gipsy-woman forced her up an old Pair of Stairs, and pushed her into a Back-room like a Hay-loft, without any Furniture whatsoever in the same, and there locked her up, threatening that if she made the least Noise or Disturbance, the old Gipsy-woman would come up and cut her Throat, and then fastened the Door on the Outside and went away. She says that when it was Day-light, upon her looking round to see in what dismal Place she was confined, she discovered a large black Jug, with the Neck much broken, filled with Water, and several Pieces of Bread, amounting to about the Quantity of a Quartern Loaf scattered on the Floor, where was likewise a small Parcel of Hay. In this Room she says she continued from that time till about half an Hour after four of the Clock in the Afternoon of *Monday* the 29th Day of the same Month of *January*, being in all twenty-seven Days and upwards, without any other Sustenance than the aforesaid Bread and Water, except one small Minced-pye which she had in her Pocket which she was carrying home as a Present to her little Brother. She likewise says, that she had some Part of this Provision remaining on the *Friday* before she made her Escape, which she did by breaking out at a Window

dow of the Room or Loft in which she was confined, and whence having escaped, she got back to her Friends in *London* in about six Hours, in a most weak and miserable Condition, being almost starved to Death, and without ever once stopping at any House or Place by the Way. She likewise says, that during her whole Confinement no Person ever came near her to ask her any Question whatever, nor did she see any belonging to the House more than once, when one of the Women peeped through a Hole in the Door, and that she herself was afraid to call or speak to any one. All this she hath solemnly sworn before a Magistrate and in a Court of Justice.

Such is the Narrative of *Elizabeth Canning*, and a very extraordinary Narrative it is, consisting of many strange Particulars, resembling rather a wild Dream than a real Fact. *First*, It doth not well appear with what Motive these Men carried this poor Girl such a Length of Way, or indeed that they had any Motive at all for so doing. *Secondly*, that they should be able to do it is not very easy to believe; I do not mean that it is not within the Strength of two Men to carry a little Girl (for so she is) ten Miles, but that they could do this without being met, opposed, or examined, by any Persons in the much frequented Roads near this Town, is extremely strange and surprising. *Thirdly*, the Gipsy-woman doth not seem to have had any sufficient Motive to her Proceedings. If her Design was to make a Prostitute or a Gipsy, or both, of this poor Girl, she would, in all Probability, have applied to her during her Confinement, to try what Effect that Confinement had produced. If her Design was Murder, she had many easier and better

better Ways than by starving, or if she had chosen this Method of destroying the Girl, it seems impossible to account for the conveying to her that Bread and Water, which could serve for no other Purpose but to lengthen out the Misery of a Wretch against whom the Gipsy-woman had, as appears, no Foundation whatever of Anger or Revenge, and might have increased the Danger of discovering the whole Villainy. *Fourthly*, That *Elizabeth Canning* herself should have survived this Usage, and all the Terrors it must have occasioned, and should have been kept alive with no other Sustenance than she declares she had, are Facts very astonishing and almost incredible. *Fifthly*, That she should so well have husbanded her small Pittance as to retain some of it till within two Days of her Escape, is another very surprising Circumstance. *Sixthly*, that she should undergo all this Hardship and Fasting without attempting sooner to make her Escape, or without perceiving the Possibility of making it in the manner in which she at last says she did effect it, seems to be no less shocking to Reason and common Sense. *Lastly*, that at the Time when she dates this Escape, she should have Strength sufficient left, not only to break her Prison in the Manner she declares, but to walk eleven or twelve Miles to her own Home, is another Fact which may very well stagger our Belief, and is a proper Close to this strange, unaccountable, and scarce credible Story.

Thus have I set the several Particulars of this Narrative in as strong a Light against the Relater, and in one as disadvantageous to the Credibility of her Relation, as I think they can fairly be placed. Certain it is, that the Facts seem at first to amount to the very highest Degree of Improbability,

bability, but I think that they do not amount to an Impossibility ; for as to those Objections which arise from the Want of a sufficient Motive in the Transactors of this cruel Scene, no great Strefs I think can be laid on these. I might ask what possible Motive could induce two Russians, who were executed last Winter for Murder, after they had robbed a poor Wretch who made no Resistance, to return and batter his Skull with their Clubs, till they fractured it in almost twenty different Places. How many Cruelties indeed do we daily hear of, to which it seems not easy to assign any other Motive than Barbarity itself? In serious and sorrowful Truth, doth not History as well as our own Experience afford us too great Reason to suspect, that there is in some Minds a Sensation directly opposite to that of Benevolence, and which delights and feeds itself with Acts of Cruelty and Inhumanity? And if such a Passion can be allowed any Existence, where can we imagine it more likely to exist than among such People as these?

Besides, though to a humane and truly sensible Mind such Actions appear to want an adequate Motive, yet to Wretches very little removed, either in their Sensations or Understandings, from wild Beasts, here may possibly appear a very sufficient Motive to all that they did; such might be a Desire of increasing the Train of Gipsies or of Whores in the Family of Mother Wells. One of these appears to have been the Design of the Gipsy-woman from the Declaration of *Elizabeth Canning*, who, if she had said nothing more improbable, would certainly have been intitled to our Belief in this, though this Design seems afterwards not to have been pursued. In short, she might very possibly have left the Alternative
with

with some Indifference to the Girl's own option; if she was starved out of her Virtue, the Family might easily apprehend she would give them Notice; if out of her Life, it would be then Time enough to convey her dead Body to some Ditch or Dunghill, where when it was found it would tell no Tales: Possibly, however, the indifference of the Gipsy-woman was not so absolute, but that she might prefer the Girl's *going her Way*, and this will account for her conveying to her that Bread and Water, which might give the poor Girl a longer Time to deliberate, and consequently the Love of Life might have a better Chance to prevail over the Love of Virtue.

So much for the first and third Objection arising from the Want of Motive, from which, as I observed above, no very powerful Arguments can be drawn in the Case of such Wretches: As to the second Objection, though I mentioned it as I would omit none, the Reader, I presume, will lay so little Weight upon it, that it would be wasting Time to give it much answer. In Reality, the Darkness of the Night at that Season of the Year, and when it was within two Days of the New Moon, with the Indifference of most People to what doth not concern themselves, and the Terror with which all honest Persons pass by Night through the Roads near this Town, will very sufficiently account for the Want of all Interruption to these Men in their Conveyance of the poor Girl.

With regard to the fourth Objection, How she could survive this Usage, &c? I leave the Degree of Probability to be ascertained by the Physicians: Possible, I think it is, and I contend for no more. I shall only observe here, that she barely did survive it, and that she, who left her
Mother

Mother in a plump Condition, returned so like a Spectre, that her Mother fainted away when she saw her; her Limbs were all emaciated, and the Colour of her Skin turned black, so as to resemble a State of Mortification; her Recovery from which State since, is a Proof of that firm and sound Constitution, which supported her, if she says true, under all her Misery.

As to the fifth Objection, she answers, That the cruel Usage she had met with, and the Condition she saw herself in, so affected both her Mind and Body, that she eat scarce any Thing during the first Days of her Confinement, and afterwards had so little Appetite, that she could scarce swallow the hard Morsels which were allotted her.

The sixth Objection hath, in my Opinion, so little in it, that had I not heard it insisted on by others, I should not myself have advanced it; common Experience every Day teaches us, that we endure many Inconveniencies of Life, while we overlook those Ways of extricating ourselves, which, when they are discovered, appear to have been, from the first, extremely easy and obvious. The Inference which may be drawn from this Observation, a moderate Degree of Candour will oblige us to extend very far in the Case of a poor simple Child, under all the Circumstances of Weakness of Body, and Depression and Confusion of Spirits, till Despair, which is a Quality that is ever increasing as its Object increases, grew to the highest Pitch, and forced her to an attempt, which she had not before had the Courage to undertake.

As to her accomplishing this, and being able to escape to her Friends, the Probability of this likewise I leave to the Discussion of Physicians:

ans: Possible it surely is, and I question very much, whether the Degree of Despair, which I have just mentioned, will not even make it probable; since this is known to add no less Strength to the Body than it doth to the Mind, a Truth which every Man almost may confirm by many Instances.

But if, notwithstanding all I have here said, the Narrative should still appear ever so improbable, it may yet become a proper Object of our Belief, from the Weight of the Evidence; for there is a Degree of Evidence, by which every Fact that is not impossible to have happened at all, or to have happened in the Manner in which it is related, may be supported and ought to be believed: In all Cases, indeed, the Weight of Evidence ought to be strictly conformable to the Weight of Improbability; and when it is so, the wiser Man is the sooner and easier he will believe. To say Truth, to judge well of this Conformity is what we truly call Sagacity, and requires the greatest Strength and Force of Understanding. He, who gives a hasty Belief to what is strange and improbable, is guilty of Rashness; but he is much more absurd, who declares that he will believe no such Fact on any Evidence whatever. The World are too much inclined to think, that the Credulous is the only Fool; whereas, in Truth, there is *another Fool* of a quite opposite Character, who is much more difficult to deal with, less liable to the Dominion of Reason, and possessed of a Frailty more prejudicial to himself and often more detrimental to Mankind in general.

To apply this Reasoning to the present Case, as we have, it is hoped with great Fairness and Impartiality, stated all the Improbabilities which
compose *

compose this Girl's Narrative, we will now consider the Evidence that supports them. And when we have done this, it will possibly appear, that the credulous Person is he who believes that *Elizabeth Canning* is a Liar.

First then, there is one Part of this Story, which is incontestably true, as it is a Matter of public Notoriety, and known by almost every Inhabitant in the Parish where her Mother dwells. This is, that the Girl, after the Absence of a Month, returned on the 29th of *January*, in the dreadful condition above-described. This being an established Fact, a very fair Presumption follows, that she was confined some-where, and by some Person; that this Confinement was of equal Duration with her Absence; that she was almost starved to Death; that she was confined in a Place, whence it was difficult to make her Escape; that, however, this Escape was possible; and that, at length, she actually made it: All these are Circumstances, which arise from the Nature of the Fact itself. They are what *Tully* calls *Evidentia Rei*, and are stronger than the positive Testimony of any Witnesses; they do, indeed, carry Conviction with them to every Man, who hath Capacity enough to draw a Conclusion from the most self-evident Premises.

These Facts being established, I shall oppose Improbability to Improbability, and first I begin by asking, Why did this Girl conceal the Person who thus cruelly used her? It could not be a lover; for among all the Cruelties, by which Men have become infamous in their Commerce with Women, none of this Kind, can, I believe be produced. What Reason, therefore, can be assigned for this great Degree of more than Christian Forgiveness of such barbarous Usage, is to
me,

me, I own, a Secret; such Forgiveness, therefore, is, at least, as great a Degree of Improbability as any which can be found, or which can be feigned in her Narrative.

Again, What Motive can be invented for her laying this heavy Charge on those who are innocent? That Street-robbers and Gipsies, who have scarce even the Appearance of Humanity, should be guilty of wanton Cruelty without a Motive, hath greatly staggered the World, and many have denied the Probability of such a Fact: Will they then imagine, that this Girl hath committed a more deliberate, and, therefore, a more atrocious Crime, by endeavouring to take away the Lives of an old Woman, her Son, and another Man, as well as to ruin another Woman, without any Motive whatever? Will they believe this of a young Girl, hardly 18 Years old, who hath the unanimous Testimony of all who ever knew her from her Infancy, to support the Character of a virtuous, modest, sober, well-disposed Girl; and this Character most enforced by those who know her best, and particularly by those with whom she hath lived in Service.

As to any Motive of getting Money by such an Attempt, nothing can be more groundless and evidently false than the Suggestion; the Subscription which was proposed and publicly advertised, was thought of long after the Girl's Return to her Mother, upon which return she immediately told the Story in the Presence of Numbers of People, with all the Circumstances with which she hath since, without any Variation, related it. The real Truth is, that this Subscription was set on foot by several well disposed Neighbours and very Substantial Tradesmen, in order to bring a Set of horrid Villains to Justice.

which then appeared (as it hath since proved) to be a Matter which would be attended with considerable Expence, nor was any Reward to the Girl then thought of; the first Proposer of which Reward was a Noble and Generous Lord, who was present at the last Examination of this Matter in *Bow-street*: So that this Charge of the Gipsy-woman, and the rest, if a false one, was absolutely without any Motive at all. A second Improbability which rises as much higher than that to which it is opposed, as the Crime would be higher, since it would be more deliberate, in the Girl, and as her Character is better than that of Street-robbers and Gipsies.

Again, as the Girl can scarce be supposed wicked enough, so I am far from supposing her witty enough to invent such a Story; a Story full of Variety of strange Incidents, and worthy the Invention of some Writer of Romances, in many of which we find such kind of strange Improbabilities that are the Productions of a fertile, though commonly a distempered, Brain; whereas this Girl is a Child in Years, and yet more so in Understanding, with all the evident Marks of Simplicity that I ever discovered in a human Countenance; and this I think may be admitted to be a third Improbability.

A *Fourth* seems to me to arise from the Manner in which this poor simple Girl hath supported this Story; which, as it requires the highest Degree of Wickedness of Heart, and some tolerable Goodness of Head to have invented, so doth it require no small Degree of Assurance to support; and that in large Assemblies of Persons of a much higher Degree than she had ever before appeared in the Presence of: Before Noblemen, and Magistrates, and Judges, Persons who must have

have inspired a Girl of this kind with the highest Awe. Before all these she went through her Evidence without Hesitation, Confusion, Trembling, Change of Countenance, or other apparent Emotion. As such a Behaviour could proceed only from the highest Impudence, or most perfect Innocence, so it seemed clearly to arise from the latter, as it was accompanied with such a Shew of Decency, Modesty, and Simplicity, that if these were all affected, which those who disbelieve her must suppose, it must have required not only the highest Art, but the longest Practice and Habit to bring it to such a Degree of Perfection.

A *Fifth* Improbability is, that this Girl should fix on a place so far from home, and where it doth not appear she had ever been before. Had she gone to this Place of her own Accord, or been carried thither by any other than the Person she accused, surely Mother *Wells* would have told this, as it must have acquitted her of the Fact laid to her Charge, and would indeed have destroyed the whole Character of *Elizabeth Canning*, and of consequence have put an End to the Prosecution; but Mother *Wells*, on the contrary, denied absolutely that *Elizabeth Canning* had ever been in her House, or that she had ever seen her Face before she came there with the Peace Officers.

In this Point, viz. That *Elizabeth Canning* was not acquainted with Mother *Wells*, or her House, nor ever there, in any other Manner than as she herself hath informed us, her Evidence stands confirmed by the best and strongest Testimony imaginable, and that is by the Declaration of the Defendant *Wells* herself. It is true indeed, that as to her being confined there, *Wells*

utterly denies it, but she as positively affirms, that this *Elizabeth Canning* was never there at any other Time, nor in any other Manner. From this Point then so established, will result an utter Impossibility ; for unless this poor Girl had been well acquainted with the House, the Hayloft, the Pitcher, &c. how was it possible that she should describe them all so very exactly as she did, at her Return to her Mother's, in the Presence of such Numbers of People ? Nay, she described, likewise, the Prospect that appeared from the Hayloft, with such Exactness as required a long Time to furnish her with the Particulars of. I know but two Ways of her being enabled to give this Description ; either she must have been there herself, or must have had her Information from some other. As to the former *Wells* herself denies it ; and as to the latter, I leave to the Conjecture of my ingenious Reader, whether it was Mother *Wells* herself, the Gipsy-woman, *Virtue Hall*, or who else that instructed *Elizabeth Canning* in all these Particulars.

In the mean time, I shall beg leave to conclude, either that we must account for the Girl's Knowledge one of the Ways which I have mentioned ; or, *Secondly*, we must believe an Impossibility ; or, *Thirdly*, we must swallow the Truth of this Relation, though it be as hard a Morsel as any which the poor Girl fed on during her whole Confinement.

And now I come to a Piece of Evidence which hath been the principal Foundation of that Credit which I have given to this extraordinary Story. It appeared to me at first to be convincing and unfurmountable, in the same Light it appeared to a Gentleman whose Understanding and Sagacity are of the very first Rate, and who is one
of

of the best Lawyers of his Time; he owned that this Evidence seem'd to him to be unanswerable, so I acknowledge it yet seems to me, and till it shall receive an Answer, I must continue to believe the Fact which rests upon it.

In order to lay this Evidence before the Reader in a fair and just Light, it will be necessary to give a brief Relation of the Order of Proceeding in this Case, down to the Time when *Virtue Hall* appeared first before me.

Upon the Return of *Elizabeth Canning* to her Mother's House in the manner above set forth, and upon the Account which she gave of her unprecedented Sufferings, the visible Marks of which then appeared on her Body, all her Neighbours began to fire with Resentment against the several Actors concerned in so cruel a Scene; and presently some of the most substantial of these Neighbours proposed to raise a Contribution amongst themselves, in order, if possible, to bring the Villains who had injured this poor Girl to exemplary Justice: As soon therefore as she was able to bear the Journey they put her into a Chaise, and, taking with them proper Peace Officers, conveyed the Girl along the *Hertford* Road, to see if she was able to trace out the House where she had been confined: for she at that Time knew not the Name of the Place, nor could she sufficiently describe the Situation of *Wells's* House, though she had before so exactly described the Inside of it. Possibly indeed she might never have been able to have discovered the House at all, had it not been for a very extraordinary Incident, and this was, that through the Chinks and Crevises of the Boards of the Hayloft she saw, at a Distance the *Hertford* Stage Coach pass by, the Driver of which she knew,

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though he past not near enough for her to call to him with any Hopes of Success, and by this extraordinary Circumstance she came to know that the House stood on the *Hertford Road*.

When they arrived at this House the poor Girl was taken out of the Chaise, and placed on a Table in the Kitchen, where all the Family passed in Review before her; she then fixed on the Gipsy woman, whom she had very particularly described before, and who is, perhaps, the most remarkable Person in the whole World; she charged likewise *Vertue Hall*, whose Countenance likewise is very easy to be remembered by those who have once seen her.

The whole Family, however, though no more were positively charged by *Elizabeth Canning*, being put all into a Cart were conducted before Mr. *Tysbemaker*, who is a Justice of the Peace for the County of *Middlesex*, who having first examined *Elizabeth Canning* alone, but without taking from her any Information in Writing, did afterwards examine all the Parties, and in the End committed the Gipsy-woman and *Wells*, the former for taking away the Stays from *Elizabeth Canning*, and the latter for keeping a disorderly House.

And here the Reader will be pleased to observe these Facts:

First, That *Elizabeth Canning* did not make any Information in Writing before this Justice.

Secondly, That the History of the Fact that she related to the Justice was not in the Presence of *Vertue Hall*.

Thirdly, That *Elizabeth Canning*, so cautious is she in taking her Oath, declared, That she could not swear to the Gipsy's Son, as the Men's Hats were flapped over their Faces in the House,
and

and as when she was first assaulted it was so very dark she could not distinguish their Countenances, nor did she charge *Wells* with any Crime at all, except that which resulted from the Tenor of her whole Evidence of keeping a disorderly House.

Lastly, That *Vertue Hall* did, at that Time, absolutely deny, that she knew any Thing of the Matter, and declared, that *Elizabeth Canning* had never been in *Wells's* House, to her Knowledge, till that Day, nor had she ever seen her Face before; the Consequence of which Declaration was, that the Gipsy's Son, whom this *Vertue Hall* hath since accused of the Robbery, was discharged by Mr. *Tyfbemaker*.

Elizabeth Canning, with her Friends, now returned home to her Mother's House, where she continued to languish in a very deplorable Condition; and now Mr. *Salt*, the Attorney who hath been employed in this Cause, advised the Parties to apply to Council, and upon this Occasion, as he hath done upon many others, he fixed upon me as the Council to be advised with,

Accordingly, upon the 6th of February, as I was sitting in my Room, Counsellor *Madden* being then with me, my Clerk delivered me a Case, which was thus, as I remember, indorsed at the Top, *The Case of Elizabeth Canning for Mr. Fielding's Opinion*, and at the Bottom, *Salt, Solr.* Upon the Receipt of this Case, with my Fee, I bid my Clerk give my Service to Mr. *Salt*, and tell him, that I would take the Case with me into the Country, whither I intended to go the next Day, and desired he would call for it on the Friday Morning afterwards; after which, without looking into it, I delivered it to my Wife, who was then drinking Tea with us, and who laid it by.

The Reader will pardon my being so particular in these Circumstances, as they seem, however trifling they may be in themselves, to shew the true Nature of this whole Transaction, which hath been so basely misrepresented, and as they will all be attested by a Gentleman of Fashion, and of as much Honour as any in the Nation. My Clerk presently returned up Stairs, and brought Mr. *Salt* with him, who, when he came into the Room, told me, that he believed the Question would be of very little Difficulty, and begged me earnestly to read it over then, and give him my Opinion, as it was a Matter of some Haste, being of a criminal Nature, and he feared the Parties would make their Escape. Upon this, I desired him to sit down, and when the Tea was ended, I ordered my Wife to fetch me back the Case, which I then read over, and found it to contain a very full and clear State of the whole Affair relating to the Usage of this Girl, with a *Quere* what Methods might be proper to take to bring the Offenders to Justice; which *Quere* I answered in the best Manner I was able. Mr. *Salt* then desired, that *Elizabeth Canning* might swear to her Information before me, and added, that it was the very particular Desire of several Gentlemen of that End of the Town, that *Vertue Hall* might be examined by me relating to her Knowledge of this Affair.

This Business I at first declined, partly, as it was a Transaction which had happened at a distant Part of the County, as it had been examined already by a Gentleman, with whom I have the Pleasure of some Acquaintance, and of whose Worth and Integrity I have, with all, I believe, who know him, a very high Opinion; but principally, indeed, for that I had been almost fatigued

tigued to Death, with several tedious Examinations at that Time, and had intended to refresh myself with a Day or two's Interval in the Country, where I had not been, unless on a *Sunday*, for a long Time.

I yielded, however, at last, to the Importunities of Mr. *Salt* ; and my only Motives for so doing were, besides those Importunities, some Curiosity, occasioned by the extraordinary Nature of the Case, and a great Compassion for the dreadful Condition of the Girl, as it was represented to me by Mr. *Salt*.

The next Day, *Elizabeth Canning* was brought in a Chair to my House, and being lead up Stairs between two, the following Information, which I had never before seen, was read over to her, when she swore to the Truth and set her Mark to it.

MIDDLESEX.)

MIDDLESEX.)

The INFORMATION of
 ELIZABETH CANNING of Alder-
 manbury Postern, London, Spinster,
taken upon Oath, this 7th Day of
 February, *in the Year of our Lord*
 1753, *before HENRY FIELDING,*
Esq; one of his Majesty's Justices
of the Peace for the County of
 MIDDLESEX.

This Informant, upon her Oath, saith, That on *Monday*, the First Day of *January* last past, she, this Informant, went to see her Uncle and Aunt, who live at *Saltpetre-Bank*, near *Rosemary-Lane*, in the County of *Middlesex*, and continued with them until the Evening; and saith, That upon her Return home, about Half an Hour after Nine, being opposite *Bethlehem-gate* in *Moorfields*, she, this Informant, was seized by two Men (whose Names are unknown to her, this Informant) who both had brown Bob-wigs on, and drab-coloured Great-coats; one of whom held her, this Informant, whilst the other, feloniously and violently, took from her one Shaving Hat, one Stuff Gown, and one Linen Apron, which she had on; and also, Half a Guinea in Gold, and Three Shillings in Silver; and then he that held her threatened to do for this Informant. And this Informant saith, That immediately after, they, the same two Men, violently took hold of her, and dragged her up into the Gravel-walk that leads down to the said Gate, and about the Middle thereof, he, the said Man, that first held her, gave

gave her, with his Fist, a very violent Blow upon the Right Temple, which threw her into a Fit, and deprived her of her Senses, (which Fits, she, this Informant, saith she is accustomed and subject to, upon being frightened, and that they often continue for six or seven Hours.) And this Informant saith, That when she came to herself, she perceived that she was carrying along by the same two Men, in a large Road-way: And saith, That in a little Time after, she was so recovered that she was able to walk alone; however they continued to pull her along, which still so intimidated and frighted her, that she durst not call out for Assistance, or speak to them. And this Informant saith, That in about half an Hour after she had so recovered herself, they, the said two Men, carried her, this Informant, into a House (which, as she, this Informant, heard from some of them, was about Four o'Clock in the Morning, and which House, as she, this Informant, hath since heard and believes, is situate at *Enfield-wash* in the County of *Middlesex*, and is reputed to be a very bad and disorderly Bawdy-house, and occupied by one—*Wells*, Widow) and there this Informant saw, in the Kitchen, an old Gipsy-woman, and two young Women, whose Names were unknown to this Informant; but the Name of one of them, this Informant hath since heard, and believes, is *Vertue Hall*, and saith, That the said old Gipsy-woman took hold of this Informant's Hand, and promised to give her fine Cloaths if she would go their Way; (meaning, as this Informant understood, to become a Prostitute) which this Informant refusing to do, she, the said old Gipsy-woman took a Knife out of a Drawer, and cut the Lace of the Stays of her, this Informant, and took the said Stays away from

from her; and one of the said Men took off her Cap, and then the said two Men went away with it, and she, this Informant, hath never since seen any of her Things. And this Informant saith, That soon after they were gone, (which she, this Informant, believes was about Five in the Morning) she, the said old Gipsy-woman, forced her, this Informant, up an old Pair of Stairs, and pushed her into a back Room like a Hay-loft, without any Furniture whatsoever in the same, and there locked her, this Informant, up, threatening her, this Informant, that if she made the least Noise or Disturbance, she, the said old Gipsy-woman, would cut her Throat, and then she went away. And this Informant saith, That when it grew light, upon her looking round to see in what a dismal Place she was, she, this Informant, discovered a large black Jug with the Neck much broken, wherein was some Water; and upon the Floor, several Pieces of Bread, near in Quantity to a quartern Loaf, and a small Parcel of Hay: And saith, That she continued in this Room, or Place, from the said *Tuesday* Morning, the second Day of *January*, until about Half-an-hour after Four of the Clock in the Afternoon of *Monday* the twenty-ninth Day of the same Month of *January*, without having, or receiving, any other Sustenance, or Provision, than the said Bread and Water (except a small Minced-pye, which she, this Informant, had in her Pocket) or any Thing to lie on, other than the said Hay; and without any Person, or Persons, coming to her, altho' she often heard the Name of Mrs. and Mother *Wells* called upon, whom she understood was the Mistress of the House. And this Informant saith, That on *Friday*, the twenty-sixth Day of *January* last past, she,

she, this Informant, had consumed all the aforesaid Bread and Water, and continued without having any Thing to eat, or drink, until the *Monday* following, when she, this Informant, being almost famished with Hunger, and starved with Cold, and almost naked during the whole Time of her Confinement, about Half-an-hour after Four in the Afternoon of the said twenty-ninth Day of *January*, broke out at a Window of the said Room, or Place, and got to her Friends in *London*, about a Quarter after Ten in the same Night, in a most weak, miserable Condition, being very near starved to Death. And this Informant saith, That she ever since hath been, and now is, in a very weak and declining State and Condition of Health, and altho' all possible Care and Assistance is given to her, yet whatever small Nutrient she, this Informant, is able to take, the same receives no Passage through her, but what is forced by the Apothecary's Assistance and Medicines,

The Mark of

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Elizabeth Canning.

Sworn before me, this

7th of Feb. 1753.

H. FIELDING.

Upon

Upon this Information, I issued a Warrant against all, who should be found resident in the House of the said *Wells*, as idle and disorderly Persons, and Persons of evil Fame, that they might appear before me, and give Security for their good Behaviour; upon which Warrant, *Vertue Hall* and one *Judith Natus* were seized and brought before me, both being found at Mother *Well's*: They were in my House above an Hour or more before I was at Leisure to see them, during which Time, and before I had ever seen *Vertue Hall*, I was informed, that she would confess the whole Matter. When she came before me, she appeared in Tears, and seemed all over in a trembling Condition; upon which I endeavoured to soothe and comfort her: The Words I first spoke to her, as well as I can remember, were these, Child, you need not be under this Fear and Apprehension; if you will tell us the whole Truth of this Affair, I give you my Word and Honour, as far as it is in my Power, to protect you, you shall come to no Manner of Harm. She answered, that she would tell the whole Truth, but desired to have some Time given her to recover from her Fright; upon this, I ordered a Chair to be brought her, and desired her to sit down, and then after some Minutes began to examine her; which I continued doing, in the softest Language and kindest Manner I was able, for a considerable Time, till she had been guilty of so many Prevarications and Contradictions, that I told her I would examine her no longer, but would commit her to Prison, and leave her to stand or fall by the Evidence against her, and at the same Time advised Mr. *Salt* to prosecute her as a Felon, together with the Gipsy-woman; upon this, she begged I would hear her once more, and said
that

that she would tell the whole Truth, and accounted for her Unwillingness to do it, from the Fears of the Gipsy-woman and *Wells*. I then asked her a few Questions, which she answered with more Appearance of Truth than she had done before ; after which, I recommended to Mr. *Salt*, to go with her and take her Information in Writing ; and at her parting from me, I bid her be a good Girl, and be sure to say neither more nor less than the whole Truth. During this whole Time, there were no less than ten or a dozen Persons of Credit present, who will, I suppose, testify the Truth of this whole Transaction as it is here related. *Vertue Hall* then went from me, and returned in about two Hours, when the following Information, which was, as she said, taken from her Mouth, was read over to her and signed with her Mark.

The

The INFORMATION of VERTUE
 HALL, late of the Parish of Enfield in
 the County of Middlesex, Spinster, tak-
 en upon Oath this 13th Day of February
 1753, before me HENRY FIELDING,
 Esq; one of his Majesty's Justices of the
 Peace for the County of Middlesex.

This Informant upon her Oath saith, That on
 Tuesday the second Day of January last past, a-
 bout four of the Clock in the Morning, a young
 Woman, whose Name this Informant hath since
 heard is *Elizabeth Canning*, was brought (with-
 out any Gown, Hat, or Apron on) to the House
 of one *Susannah Wells* of *Enfield Wash* in the
 County aforesaid, Widow, by two Men, the
 Name of one of whom is *John Squires*, the
 reputed Son of one *Mary Squires*, an old Gip-
 sy-woman, who then, and some little time be-
 fore, had lodged at the House of the said *Su-
 sannah Wells*, but the Name of the other of the
 said two Men this Informant knows not, she this
 Informant never having seen him before or since
 to the best of her Knowledge. And this Infor-
 mant saith, That when she the said *Elizabeth
 Canning* was brought into the Kitchen of the said
Well's House, there were present the said *Mary
 Squires*, *John Squires*, the Man unknown, *Ka-
 tharine Squires*, the reputed Daughter of the said
Mary Squires, and this Informant; and this In-
 formant does not recollect that any one else was
 in the said Kitchen at that time: And saith, That
 immediately upon her, the said *Elizabeth Can-
 ning's*, being brought in, the said *John Squires*
 said,

faid, here, Mother take this Girl, or used Words to that Effect; and she, the said *Mary Squires*, asked him where they had brought her from? and *John* said from *Moorfields*, and told his said Mother that they had taken her Gown, Apron, Hat, and half a Guinea from her, to the best of this Informant's Recollection and Belief: Whereupon she, the said *Mary Squires*, took hold of the said *Elizabeth Canning's* Hand, and asked her if she would go their Way, or Words to that Effect; and upon the said *Elizabeth Canning's* answering no, she, the said *Mary Squires*, took a Knife out of the Drawer of the Dresser in the Kitchen, and therewith cut the Lace of the said *Elizabeth Canning's* Stays, and took the said Stays away from her, and hung them on the Back of a Chair, and the said Man unknown took the Cap off the said *Elizabeth Canning's* Head, and then he, with the said *John Squires*, went out of Doors with it. And this Informant saith, That quickly after they were gone she, the said *Mary Squires*, pushed the said *Elizabeth Canning* along the Kitchen, towards and up a Pair of Stairs leading into a large Back-room like a Loft, called the Workshop, where there was some Hay; and whilst she, the said *Mary Squires*, was so pushing her the said *Elizabeth Canning* towards the Stairs, she, the said *Susannah Wells*, came into the Kitchen, and asked the said *Mary Squires* what she was going to push the Girl up Stairs for, or Words to that Effect, and to the best of this Informant's Recollection and Belief the said *Mary Squires* answered, What is that to you, you have no Business with it? whereupon the said *Susannah Wells* directly went out of the Kitchen into an opposite Room called the Parlour, from whence she came, as this Informant

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believes.

believes. And this Informant saith, That the said *Mary Squires* forced the said *Elizabeth Canning* up Stairs into the said Workshop, and buttoned the Door at the Bottom of the Stairs in the Kitchen upon her, and confined her there. And this Informant saith, That about two Hours after a Quantity of Water in an old broken mouthed large black Jug was carried up the said Stairs, and put down upon the Floor of the said Workshop at the Top of the Stairs, to the best of this Informant's Recollection and Belief. And this Informant saith, That soon after the said *Elizabeth Canning* was so put into the said Workshop, and the said *Susannah Wells* was returned into the Parlour, the said *John Squires* returned again into the Kitchen, and took the Stays from off the Chair and went away with the same, and in about an Hour's time returned and went into the Parlour with the said *Susannah Wells*. He, the said *John Squires*, came again into the Kitchen, and then this Informant went into the Parlour to the said *Susannah Wells*, and the said *Susannah Wells* there said to this Informant *Vertue*, the Gipsy-man (meaning the said *John Squires*) has been telling me that his Mother had cut the Girl's (meaning the said *Elizabeth Canning's*) Stays off her Back, and that he has got them; and further said, I desire you will not make a Clack of it, for fear it should be blown, or used Words to that or the like Effect. And this Informant saith, That from the Time of the said *Elizabeth Canning's* being so confined in the Morning of the said second Day of *January* in manner as aforesaid, she, the said *Elizabeth Canning*, was not missed or discovered to have escaped out of the said Workshop untill *Wednesday* the 31st Day of the same Month of *January*, as she
this

this Informant verily believes; for that to the best of this Informant's Recollection and Belief, she was the Person that first missed the said *Elizabeth Canning* thereout. And this Informant saith, That the said *Susannah Wells* harboured and continued the said *Mary Squires* in her aforesaid House from the Time of the said *Mary Squires's* robbing the said *Elizabeth Canning* of her Stays, untill *Thursday* the first Day of *February* last past, when the said *Susannah Wells*, *Sarah* her Daughter, *Mary Squires*, *John Squires*, his two Sisters *Katharine* and *Mary Squires*, *Fortune Natus* and *Sarah* his Wife, and this Informant, were apprehended on account thereof, and carried before Justice *Tybbemaker*. And this Informant saith, That *Fortune Natus* and *Sarah* his Wife, to the best of this Informant's Recollection and Belief, have lodged in the House of the said *Susannah Wells* about eleven Weeks next before *Monday* the fifth Day of *February* Instant, and lay on a Bed of Hay spread in the Kitchen at Night, which was in the Day-time pushed up in a Corner thereof, and continued lying there, when at home, untill *Thursday* the first Day of *February*, when before the said Mr. *Tybbemaker*, all except the said *Susannah Wells* and *Mary Squires* were discharged, and then that Evening the said *Fortune Natus* and *Sarah* his Wife laid up in the said Workshop where the said *Elizabeth Canning* had been confined, so that, as this Informant understood, it might be pretended that they had lain in the said Workshop for all the Time they had lodged in the said *Susannah Wells's* House. And saith, That on the Day on which it was discovered that the said *Elizabeth Canning* had made her Escape out of the said Workshop, by breaking down some Boards slightly affixed

across the Window-Place, the said *Sarah*, Daughter of the said *Susannah Wells*, nailed up the said Window-place again with Boards, so that the said Window place might not appear to have been broke open. And lastly, this Informant saith, That she, this Informant, hath lived with the said *Susannah Wells*, about a Quarter of a Year last past, and well knows that the said *Susannah Wells*, during that time, hath kept a very notorious ill governed and disorderly House, and has had the Character of doing so for many Years past; and that the said *Susannah Wells* well knew and was privy to the Confinement of the said *Elizabeth Canning*.

her

Vertue -|- Hall.

Mark.

Sworn before me, this
14th Feb. 1753.

H. FIELDING.

The Reader will be pleased to consider the Nature of this Information truly taken in the Manner above set down, to compare it with the Evidence given by this *Vertue Hall* at her Tryal, and lastly, to compare it with the Evidence of *Elizabeth Canning*, and then I am much mistaken if he condemns either the Judge or Jury.

After

After I had finished the Examination of *Vertue Hall*, one *Judith Natus*, the Wife of *Fortune Natus*, whom I apprehended to belong to the Gipsies, and who was found in the House with *Vertue Hall*, being examined upon her Oath before me, declared, that she and her Husband lay in the same Room where *Elizabeth Canning* pretended to have been confined during the whole Time of her pretended Confinement, and declared, That she had never seen or heard of any such Person as *Elizabeth Canning* in *Wells's* House. Upon this *Vertue Hall*, of her own Accord, affirmed, as she doth in her Information in Writing, these two Persons were introduced into that Room, to lie there, by Mother *Wells*, to give a Colour to the Defence which *Wells* was to make, and which these People, in the Presence of *Vertue Hall*, had agreed to swear to.

Upon this some Persons, who were present, were desirous that this *Judith Natus* should be committed for Perjury, but I told them that such a Proceeding would be contrary to Law, for that I might as well commit *Vertue Hall* upon the Evidence of *Judith Natus*. However, as I confess I myself thought her guilty of Perjury, I gave her some little Caution, and told her that she ought to be very sure of the Truth of what she said, if she intended to give that Evidence at the *Old Bailey*, and then discharged her.

The next Day *Vertue Hall* came again before me, but nothing material passed, nor was she three Minutes in my Presence. I then ordered Detainers for Felony against the Gipsy-woman and *Wells* to be sent to the Prisons where they then lay upon the Commitments of Mr. *Tyshe-maker*, and thus ended all the Trouble which I

thought it was necessary for me to give myself in this Affair; for as to the Gipsy-woman or *Wells*, those who understand the Law well know I had no Business with them.

Some-Days afterwards, however, upon my Return to Town, my Clerk informed me, that several Noble Lords had sent to my House in my Absence, desiring to be present at the Examination of the Gipsy-woman. Of this I informed Mr. Salt, and desired him to bring *Elizabeth Canning* and *Vertue Hall*, in order to swear their several Informations again in the Presence of the Gipsy-woman and *Wells*, and appointed him a Day for so doing, of which I sent an Advice to the noble Lords.

One of these, namely Lord *Montfort*, together with several Gentlemen of Fashion, came at the appointed Time. They were in my Room before the Prisoners or Witnesses were brought up. The Informations were read to the two Prisoners; after which I asked the Prisoners a very few Questions, and in what Manner I behaved to them let all who were present testify; I can truly say, that my Memory doth not charge me with having ever insulted the lowest Wretch that hath been brought before me.

The Prisoners and Witnesses left the Room while all the Company remained in it; and from that Time to this Day, I never saw the Face of *Vertue Hall*, unless once when she came before me with *Canning*, to see a Man who was taken on Suspicion of the Robbery, and when I scarce spoke to her; nor should I have seen *Elizabeth Canning* more, had not I received a Message from some Gentlemen desiring my Advice how to dispose of some Money which they had collected, to the Use of *Elizabeth Canning*, in the best man-
ner

ner for her Advantage; upon which Occasion I ordered her to be sent for, to meet one of the Gentlemen at my House: And had I not likewise been informed since the Tryal, that a great Number of Affidavits, proving that the Gipsy-woman was at *Abbotsbury* in *Dorsetshire*, at the very Time when *Elizabeth Canning* had sworn that she was robbed by her at *Enfield-washe*, were arrived at my Lord Mayor's Office. Upon this I sent for her once more, and endeavoured by all Means in my Power to sift the Truth out of her, and to bring her to a Confession if she was guilty; but she persisted in the Truth of the Evidence that she had given, and with such an Appearance of Innocence, as persuaded all present of the Justice of her Cause.

Thus have I very minutely recited the whole Concern which I had in this Affair, unless that after I had discharged my whole Duty as a Justice of the Peace, Mr. *Salt* came again to consult with me concerning the Crime of which *Wells* was accused, and the manner of prosecuting her, upon a Point of Law, which is by no means a very easy one, namely that of Accessories after the Fact in Felony, upon which I gave him my Opinion.

And now having run through the Process of the Affair as far as to the Tryal, which is already in Print, I come to lay before the Reader that Point of Evidence on which, as I have said, so great a Stress ought to be laid, a Point on which indeed any Cause whatever might be safely rested: This is the Agreement, in so many particular Circumstances between the Evidence of *Elizabeth Canning* and *Vertue Hall*. That *Vertue Hall* had never seen nor heard the Evidence of *Elizabeth Canning* at the Time when she made her

own Information, is a Fact; nay, had she even heard the other repeat it once over before a Justice of Peace, that she should be able, at a Distance of Time, to retain every particular Circumstance so exactly as to make it tally in the Manner her Information doth with that of *Elizabeth Canning*, is a Supposition in the highest Degree absurd, and those who can believe it can believe that which is much more incredible than any thing in the Narrative of *Elizabeth Canning*.

The only Way therefore to account for this is, by supposing that the two Girls laid this Story together. To the Probability and indeed Possibility of this Supposition, I object,

First, That from the whole Circumstances of this Case it appears manifestly that they had never seen the Face of each other (unless *Canning* be believed as to the Time when she was brought into *Wells's*) before the Persons came to apprehend her, nay *Wells* herself declared before me, that *Canning* had never been in her House, and the other scarce ever out of it during the whole Month in Question.

Secondly, If we could suppose they had met together so as to form this Story, the Behaviour of *Virtue Hall* before Mr. *Tysemaker* would entirely destroy any such Supposition, for there this *Virtue Hall* was so far from being in the same Story with *Elizabeth Canning*, that she there affirmed she knew nothing of the Matter, and she had then no Reason to apprehend any farther Examination; nor is it possible to conceive that these two Girls should afterwards enter into any such Agreement. From the Day of the Examination before Mr. *Tysemaker*, till *Virtue Hall* came before me, the two Girls never saw the Face of each other, the one remained

sick

sick at her Mother's in Town, the other continued at *Wells's* House at *Enfield*, in Company with those who yet persist in their Friendship to *Wells* and the Gipsy. In reality, I never yet heard a Fact better established in a Court of Justice than this, that *Elizabeth Canning* and *Vertue Hall* did not lay this Story together, nay even she herself doth not, as I have heard, since her Apostacy, pretend to say any such thing, but Imputes her Evidence to her being threatened and bullied into it, which to my own Knowledge, and that of many others, is a most impudent Falshood; and, secondly, ascribes her agreement with *Elizabeth Canning* to having heard her deliver her Evidence, which, besides being impossible, can be proved to be another notorious Falsehood, by a great Number of Witnesses of indisputable Credit.

So that I think I am here intitled to the following syllogistical Conclusion.

Whenever two Witnesses declare a Fact, and agree in all the Circumstances of it, either the Fact is true or they have previously concerted the Evidence between themselves:

But in this Case it is impossible that these Girls should have so previously concerted the Evidence:

And therefore the Fact is true.

The Reader will be pleased to observe, That I do not here lay any Weight on the Evidence of *Vertue Hall*, as far as her own Credit is necessary to support the Evidence, for in Truth she deserves

serves no Credit at all ; the Weight which I here lay on her Evidence is so far only as it is supported by that Evidence of Fact which alone is always safely to be depended upon, as it is alone incapable of a Lye.

And here, though I might very well rest the Merits of the whole Cause on this single Point, yet I cannot conclude the Case of this poor Girl without one Observation, which hath, I own, surprized me, and will, I doubt not, surprize the Reader. It is this, Why did not the Gipsy-woman and *Wells* produce the Evidence of *Fortune Natus* and his Wife in their Defence at their Tryal, since that Evidence, as they well knew, was so very strong in their Behalf, that, had the Jury believed it, they must have been acquitted? For my own Part, I can give but one answer to this, and that is too obvious to need to be here mentioned.

Nor will I quit this Case, without observing the pretty Incident of the minced Pye ; which, as it possibly saved this poor Girl's Life, so doth the Intention of carrying it home to her little Brother serve very highly to represent the Goodness, as well as Childishness and Simplicity of her Character ; a Character so strongly imprinted in her Countenance, and attested by all her Neighbours.

Upon the whole, this Case, whether it be considered in a private or in a public Light, deserves to be scrutinised to the Bottom ; and that can be only done by the Government's authorising some very capable and very indifferent Persons, to examine into it, and particularly into the *alibi* Defence of *Mary Squires* the Gipsy-woman. On the one Side here is the Life of a Subject at Stake, who,

who, if her Defence is true, is innocent ; and a young Girl, guilty of the blackest, most premeditated, and most audacious Perjury, leveled against the Lives of several innocent Persons. On the other Side, if the Evidence of *Elizabeth Canning* is true, and Perjury should, nevertheless, prevail against her, an innocent young Creature, who hath suffered the most cruel and unheard-of Injuries, is in Danger of being rewarded for them by Ruin and Infamy ; and what must extremely aggravate her Case, and will distinguish her Misery from that of all other Wretches upon Earth, is, that she will owe all this Ruin and Infamy to this Strange Circumstance, that her Sufferings have been beyond what human Nature is supposed capable of bearing ; whilst Robbery, Cruelty, and the most impudent of all Perjuries, will escape with Impunity and Triumph ; and, therefore, will so escape, because the Barbarity of the guilty Parties hath risen to a Pitch of wanton and untempted Inhumanity, beyond all Possibility of Belief.

As to my own Conduct in this Affair, which I have deduced with the most minute Exactness, I know it to be highly justifiable before God and before Man. I frankly own, I thought it intitled me to the very Reverse of Censure. The Truth is, the same Motive prevailed with me then, which principally urged me to take up my Pen at this Time, a Desire to protect Innocence and to detect Guilt ; and the Delight in so doing was the only Reward I ever expected, so help me God ; and I have the Satisfaction to be assured, that those who know me best will most believe me.

In solemn Truth, the only Error I can ever be possibly charged with in this Case is an Error in Sagacity. If *Elizabeth Canning* be guilty of a false Accusation, I own she hath been capable of imposing on me ; but I have the Comfort to think the same Imposition hath passed not only on two Juries, but likewise on one of the best Judges that ever sat on the Bench of Justice, and on two other very able Judges who were present at her Tryal.

I do not, for my own Part, pretend to Infallibility, though I can at the same time with Truth declare, that I have never spared any Pains in endeavouring to detect Falsehood and Perjury, and have had some very notable success that Way.

In this Case, however, one of the most simple Girls I ever saw, if she be a wicked one, hath been too hard for me ; supposing her to be such she hath indeed most grossly deceived me, for I remain still in the same Error : And I appeal, in the most solemn Manner, to the Almighty for the Truth of what I now assert. I am at this very Time, on this 15th Day of *March* 1753, as firmly persuaded as I am of any Fact in this World, the Truth of which depends solely on the Evidence of others, that *Mary Squires* the Gipsy-woman, IS GUILTY of the Robbery and Cruelty of which she stands convicted ; that the *alibi* Defence is not only a false one, but a Falshood very easy to be practised on all Occasions, where there are Gangs of People, as Gipsies, &c. that very foul and unjustifiable Practices have been used in this whole Affair since the Tryal ; and that *Elizabeth Canning* is a poor, honest, innocent, simple Girl, and the most unhappy and most injured of all human Beings.

It is this Persuasion alone, I repeat it again, which occasioned me to give the Public this Trouble; for as to myself, I am, in my own opinion, as little concerned in the Event of this whole Matter as any other Man whatever.

Whatever Warmth I have at last contracted in this Matter, I have contracted from those who have been much warmer on the other Side; nor can any such Magistrate blame me, since we must, I am persuaded, act from the same Motive of doing Justice to injured Innocence. This is surely the Duty of every Man, and a very indispensable Duty it is, if we believe one of the best Writers. *Qui non defendit, nec obsistit, si potest, injuriæ, tamen in vitio quam si parentes, aut amicos, aut patriam deserat.* These are Tully's Words, and they are in the most especial Manner applicable to every Magistrate.

To the Merit of having discharged this Duty, my Lord Mayor as well as myself have a just Title at all Events. And for my own Part, as I do not expect to gain, so neither do I fear to lose any other Honour on the final Issue of this Affair: For surely the Cause is of such a Nature that a Man must be intolerably vain who is ashamed of being mistaken on either Side. To be placed above the Reach of Deceit is to be placed above the Rank of a human Being; sure I am that I make no Pretension to be of that Rank; indeed I have been often deceived in my Opinion of Men, and have served and recommended to others those Persons whom I have afterwards discovered to be totally worthless. I shall, in short, be very well contented with the Character which Cicero gives of Epicurus. *Quis illum neget & bonum virum & comem & humanum fuisse!* And whoever will
allow

allow me this, which I must own I think I deserve, shall have my leave to add, *tamen, si hæc vera sunt non satis acutus fuit.*

In solemn Truth, so little desirous am I to be found in the right, that I shall not be in the least displeased to find myself mistaken. This indeed I ought, as a good Man, to wish may be the Case; since that this Country should have produced one great Monster of Iniquity, is a Reflection much less shocking than to consider the Nation to be arrived at such an alarming State of Profligacy, and our Laws and Government to lie in so languishing a Condition that a Gang of Wretches like these should dare to form such an impudent Attempt to elude public Justice, nay rather to overbear it by the Force of associated Perjury in the Face of the whole World; and that this audacious Attempt should have had, at least, a very high Probability of succeeding.

This is the Light in which I see this Case at present. I conclude, therefore, with hoping that the Government will authorise some proper Persons to examine to the very Bottom, a Matter in which the Honour of our national Justice is so deeply concerned.



POSTSCRIPT.

IN the extreme Hurry in which the foregoing Case was drawn up, I forgot to observe one strange circumstance which will attend the Case of *Elizabeth Canning*, if it should be admitted to be a Forgery; this is, that she should charge the Gipsy-woman when she must have known that Woman could prove an *Alibi*, and not *Susanna Wells*, who could have had no such Proof. This will be very strong if applied to the Evidence of *Canning*, but much stronger when applied to the Evidence of *Vertue Hall*, who lived in the House the whole Time.

This appears to be very simple Conduct; and, as such, indeed, is consistent enough with her Character. So is not the artful Manner in which the Charge was brought out; first *Canning* accused the Gipsy-woman, and went no farther, then *Hall* brought the rest upon the Stage, all in such Regularity, and with such Appearance of Truth that no *Newgate* Solicitor ever ranged his Evidence in better Order. But, perhaps, I might have spared my Reader these Observations,

ons, as I can now inform him that I have this very Afternoon (*Sunday* the 18th instant) read over a great Number of Affidavits corroborating the whole Evidence of *Canning*, and contradicting the *Alibi* Defence of the Gipsy-woman. I shall only add, that these Affidavits are by unquestionable Witnesses, and sworn before three worthy Justices of the County of *Middlesex*, who live in the Neighbourhood of *Enfield-Wasbe*.



F I N I S.

